

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -MARCH 4, 2008- -7:30 P.M.

Mayor Johnson convened the Regular City Council Meeting at 7:50 p.m. Vice Mayor Tam led the Pledge of Allegiance.

ROLL CALL - Present: Councilmembers deHaan, Gilmore, Matarrese, Tam and Mayor Johnson - 5.

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(08-094) Proclamation declaring March 2008 as American Red Cross Month.

Mayor Johnson read and presented the proclamation to Helen Knudson and Cortes Sanders with the American Red Cross Leadership Council; and Jim Franz, Alameda American Red Cross Director.

Ms. Knudson thanked Council for the proclamation; stated the Red Cross responded to ten events within the City in the past ten years; the annual CPR instruction will be held on March 8 in all six counties.

Ms. Sanders thanked Council and the community for partnering with the Red Cross.

Mr. Franz stated that volunteers are the lifeblood of the Red Cross; the Red Cross started in 1898 and in Alameda also.

CONSENT CALENDAR

Vice Mayor Tam moved approval of the Consent Calendar.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(*08-095) Minutes of the Special City Council Meeting; the Special Joint City Council, Alameda Reuse and Redevelopment Authority and Community Improvement Commission Meeting; and the Regular City Council Meeting held on February 19, 2008. Approved.

(*08-096) Ratified bills in the amount of \$6,452,067.26.

(*08-097) Recommendation to approve amendments to existing Professional Services Agreements with Lamphier Gregory and Harsh Investment Realty for the evaluation of potential environmental impacts associated with the proposed expansion of the Alameda Towne Centre. Accepted.

(*08-098) Recommendation to allocate \$860,522 from Fund 310.1 Fleet Industrial Supply Center Catellus Traffic Mitigation Fee for the construction of Bayport traffic mitigation improvements at Ralph Appezato Memorial Parkway and Webster Street, Constitution Way and Mariner Square Drive. Accepted.

(*08-099) Resolution No. 14186, "Approving the Power Purchase Agreement between Northern California Power Agency (NCPA) and Western GeoPower, Inc., for the Purchase of Power from a New Geothermal Power Plant at a Fixed Price of \$98.00/MWh Over an Initial 20-Year Term and Authorize the General Manager to Execute the Third Phase Agreement for Members of NCPA to Participate in the Proposed Project." Adopted.

REGULAR AGENDA ITEMS

(08-100) Recommendation to consider an appeal of the Transportation Commission's decision to install parking restrictions at the existing westbound bus stops on the northerly side of Encinal Avenue at the intersection of Mound Street.

The Program Specialist II gave a brief presentation.

Councilmember Gilmore inquired how many parking spaces would be removed by red curbing the Mound Street bus stop, to which the Program Specialist II responded three.

Councilmember deHaan inquired how many riders use the bus stop.

The Program Specialist II responded five people board and three people get off at the Encinal Avenue and Mound Street bus stop per day.

Councilmember deHaan inquired whether any safety issues were addressed; further inquired whether there are any problems with where buses stop now.

The Program Specialist II responded that he has not heard of any complaints.

Councilmember deHaan inquired when parking was observed.

The Program Specialist II responded parking was observed at 3:00 p.m. on a Tuesday; 9:30 a.m. and 9:00 p.m. on a Wednesday; and 9:30 p.m. on a Sunday.

Councilmember deHaan stated parking is critical on Sundays.

Vice Mayor Tam inquired whether ridership is fairly high on the three bus lines; stated the OX Transbay line operates during the morning peak times and always seems to be fairly full.

The Program Specialist II responded the bus line has good ridership.

Mayor Johnson opened the public portion of the hearing.

Proponents (In favor of appeal): Mark Betz, Alameda; Brad Ashmore, Alameda.

Opponents (Not in favor of appeal): Deborah James, Alameda.

Neutral: Susan Decker, Alameda.

There being no further speakers, Mayor Johnson closed the public portion of the hearing.

Councilmember deHaan inquired how far along is the red curbing policy.

The Program Specialist II responded there are approximately twenty stops left; stated approximately half are on the list Council recommended in January.

Councilmember Matarrese inquired whether distinctions were made between storage of vehicles and parking.

The Program Specialist II responded there is no way to judge whether vehicles are stored or parked.

Councilmember Matarrese stated a boat trailer is taking up a parking space on Encinal Avenue; storage space should not be provided; taking parking away from a neighborhood is not easy.

Mayor Johnson inquired whether the City has ordinances regarding storing vehicles.

Councilmember deHaan responded in the affirmative; stated Alameda

was constructed when cars were not prominent; people are jockeying for parking spaces on the main thoroughfares on Sunday mornings; he is concerned with ridership and noise; parking is the major issue; enforcement needs to be done on illegal vehicles stored on streets.

Vice Mayor Tam stated that she takes the Mound Street route often; she concurs with staff's observation regarding available parking; the City established a long-range transit plan and is sending the message that a viable transit system is needed; she appreciates the efforts of staff and the Transportation Commission.

Vice Mayor Tam moved approval of upholding the Transportation Commission's decision.

Councilmember Matarrese seconded the motion.

Under discussion, Mayor Johnson inquired whether the motion included the enforcement issue.

Vice Mayor Tam responded that she hopes enforcement is happening irrespective of being included in a motion.

Mr. Ashmore inquired why three parking spots are needed instead of two.

Mayor Johnson responded staff would be able to answer the question.

Mayor Johnson inquired whether the ordinance is strong enough for enforcement of illegal vehicles stored on streets.

The Assistant City Manager responded enforcement is done on a complaint basis.

Councilmember deHaan stated that ticketing vehicles stored on streets over seventy-two hours becomes a game; vehicles are moved and then put back in the same spot; he would like to see how the existing ordinance can be strengthened; fines should be increased after three violations per year; requested that the Police Department provide Council with recommendations.

On the call for the question, the motion carried by unanimous voice vote - 5.

(08-101) Recommendation to request placement of a Ballot Measure Resolution proposing non-substantive changes to the City Charter on a City Council Agenda no later than July 15, 2008, and to prioritize and provide direction on future substantive changes.

Vice Mayor Tam stated that Councilmember Gilmore, Senior Assistant City Attorney, and Deputy City Clerk have been meeting following the December 5, 2007 workshop; the subcommittee consolidated the proposed changes into three different categories: nonsubstantive revisions; substantive revisions; and revisions that Council and the City Manager suggested after the workshop.

Councilmember Gilmore outlined the proposed nonsubstantive revisions.

Mayor Johnson inquired what would be the deadline to pass a resolution.

Vice Mayor Tam responded Council needs to pass a resolution no later than August 7, 2008, to qualify for the November consolidated election; stated the subcommittee recommends placing the matter on the July 15, 2008 City Council agenda.

Councilmember Gilmore stated the subcommittee wanted to ensure that there was enough time to provide the public with information.

Vice Mayor Tam outlined the proposed substantive revisions.

Councilmember Gilmore stated that the proposed language for Article IV, Auditor, and Article V, Treasurer, was drafted in consultation with the current incumbents.

Mayor Johnson inquired whether Article 28-5 has an extra provision for removal of a Historical Advisory Board Member, to which Councilmember Gilmore responded in the affirmative.

Mayor Johnson inquired whom the Charter designates as officers; stated the term "officer" seems to be broader than just people elected or appointed by Council.

The Senior Assistant City Attorney responded Section 2-12 adds assistants and deputies.

Mayor Johnson inquired whether the revision would not change who is or is not an officer, to which the Senior Assistant City Attorney responded in the affirmative.

Councilmember Matarrese questioned whether there is a way to override the formal bidding requirement while still requiring Council approval; no bid would be required to get work started, then a Council meeting could be called to approve the expenditure.

The Public Works Director stated that 2005 had some very bad storms

which led to excessive bank erosion; the award of a contract had to be suspended until a Council meeting could be held; further erosion occurred; the intent of the proposed revision is to mitigate a similar situation.

Vice Mayor Tam inquired what was the cost [to repair the erosion].

The Public Works Director responded \$150,000 at the time and approximately \$300,000 to \$350,000 later.

Councilmember Matarrese stated a twenty-four hour notice is needed for an emergency Council Meeting; someone could start the work for \$75,000 and then a Council meeting could be called to get approval.

Vice Mayor Tam stated that the sub-committee has requested the City Attorney's office to reference the definition of what constitutes an emergency which is taken directly from State law.

Mayor Johnson inquired when an emergency would end; stated normal requirements could be in place after a certain number of days of the expenditure.

The City Manager stated the City Attorney could review restrictions in terms of number of days or require that the matter come back for Council confirmation by the next regular Council meeting.

Mayor Johnson stated that defining when an emergency ends is necessary.

Councilmember Matarrese stated inserting language to have the matter come back for Council confirmation is a good idea; a quorum may not be available; the intent is to be able to address a catastrophe.

Councilmember deHaan stated the City Manager has authorization up to \$75,000; inquired whether past emergencies have warranted a City Manager to make decisions immediately.

The Public Works Director responded there have been numerous sewer backups; stated the situation at Washington Park was just under \$75,000, but could have been more if the large Palm tree was lost.

Councilmember deHaan stated things could change ten years from now; the \$75,000 threshold has been in place for many years; the numeric value does not have a lot of value.

Mayor Johnson stated that the dollar amount should be set by ordinance, not the Charter.

The City Manager stated the dollar amount is not in the Charter.

Councilmember Matarrese stated that the ability to override the bidding requirements is fine as long as a confirmation occurs within a given amount of time.

Vice Mayor Tam stated the subcommittee will work with the City Attorney's office to prepare language to seek Council confirmation at the earliest opportunity following an expenditure.

Mayor Johnson inquired who has the authority to bind the City in the event of an emergency, to which Councilmember Gilmore responded the City Manager.

The City Attorney stated it is not uncommon for a City Manager to authorize an emergency contract, start work to protect things from getting worse, and then bring a contract to Council for ratification at the next available Council meeting; the City would only be obligated to pay for services rendered; if a contract is not ratified, the Contract would end.

Councilmember deHaan inquired whether issues would be brought to the public for review and recommendations.

Councilmember Gilmore responded the subcommittee wanted direction from Council on whether any of the eight substantive revisions should move forward on the November ballot; input is requested on the items that came up after the December workshop and on how to move forward with public discussions between now and the time Council has to vote to put the matter on the ballot.

Councilmember deHaan stated that his current recommendation is to amend Section 2-11 to have consistency between boards and commissions; a future recommendation would involve the selection of boards and commissions and allowing Council to make nominations.

Mayor Johnson stated that she would strongly oppose the recommendation.

Vice Mayor Tam inquired whether Councilmember deHaan is comfortable with the eight substantive revisions.

Councilmember deHaan responded in the affirmative; stated he supports the November timeline; commended the subcommittee on efforts made.

Councilmember Gilmore stated the subcommittee discussed voter

fatigue; inquired whether Councilmember deHaan has a priority preference.

Councilmember deHaan responded that he did not view the issue in terms of priorities.

Councilmember Matarrese stated that his top priority is the formal bidding requirements because the matter is emergency preparedness; Item 4 [governing the elected position of Auditor], Item 5 [governing the elected position of Treasurer], and Item 6 [eliminating "transportation" from Article XII, Section 12-1(A) are clean up items.

Councilmember deHaan excused himself from the meeting at 8:58 p.m.

Councilmember Gilmore stated that her top priority is that contracts be in writing.

The Senior Assistant City Attorney stated that there was a range of two to eight Charter revisions per ballot over a thirty-year period.

Bill Smith, Alameda, stated that he supports the recommendation.

Councilmember Gilmore stated that the Charter references the practice of requiring bonds for individual performance; the language is obsolete; the practice is to protect the City by carrying an insurance policy; inquired whether a provision should be added requiring that the City have appropriate insurance if references to bonds are eliminated.

Mayor Johnson inquired whether the liability insurance would be for employees.

The Senior Assistant City Attorney responded the City carries crime insurance which cover instances such as embezzlement or someone absconding with checks.

Mayor Johnson inquired whether the City has an insurance policy, to which the Senior Assistant City Attorney responded in the affirmative.

Mayor Johnson inquired whether the City has used the insurance policy, to which the Senior Assistant City Attorney responded that she did not know.

Mayor Johnson questioned whether the City should have an insurance policy if claims are not made; inquired what is the loss limit on the policy.

The Senior Assistant City Attorney responded she does not know the limit; stated the deductible is \$10,000.

Mayor Johnson stated the City should use the policy or not have one; inquired when was the last time the City made a claim, to which the Senior Assistant City Attorney responded that she did not know.

Councilmember Gilmore stated the subcommittee and City Attorney's office would discuss the matter with the Risk Manager and provide more information to Council.

Vice Mayor Tam stated that the Charter stipulates that the City has performance bonds; the recommendation is to have some type of insurance policy instead.

Mayor Johnson inquired whether the bond is intended to cover theft, to which the Senior Assistant City Attorney responded in the affirmative.

Councilmember Gilmore stated Councilmember Matarrese submitted a proposed revision to Article VII that would require the appointment of department heads to be on the advice and consent of Council; the subcommittee noted that the proposal would need to be harmonized with Article VII, Section 3, which prohibits Council from interfering with the execution of the City Manager's powers or duties; the proposal would substantially change the form of government.

Councilmember Matarrese stated the proposed revision would provide for more accountability.

Vice Mayor Tam stated that the Charter is based upon a strong City Manager form of government; the City of Oakland passed a strong Mayor initiative that allows the Mayor to be more deeply involved in the City's management and operations.

Councilmember Matarrese stated that the matter needs extensive discussion.

Mayor Johnson suggested looking at the City of Berkeley's form of government.

Councilmember Gilmore stated that the matter should go straight to

public discussion.

Vice Mayor Tam concurred with Councilmember Gilmore.

Councilmember Gilmore stated workshops could be held if revisions could be pared down to a workable mass.

Vice Mayor Tam stated other cities, such as the City of Albany, formed a Charter Review Committee that has the specific task of reviewing the Charter on an on-going basis.

Mayor Johnson stated that the City of Santa Ana has an on-going Council Subcommittee.

The City Manager stated the City of Santa Ana has an ad-hoc committee that meets on a periodic basis.

Councilmember Gilmore stated that Article IX subjects the appointment, discipline and removal of a deputy city clerk to the approval of Council; the subcommittee suggests deleting the provision to be consistent with other Charter provisions; suggested that the matter be a cleanup item.

Vice Mayor Tam stated that Councilmember deHaan seeks to amend Section 2-11 to have the Charter preclude any incumbent of any elective federal, State, County, or local office from serving on a City board or commission that was created by the Charter.

Councilmember Gilmore stated that Councilmember deHaan also wants the provision to include any board or commission created by the Council.

Mayor Johnson inquired whether a Task Force committee would be included.

Vice Mayor Tam responded the intent is for a standing boards or commissions.

The City Clerk stated that all bodies created in the Charter are boards, everything else is a commission; commissions are created by ordinance.

The City Attorney stated one example that Councilmember deHaan used was the Hospital Board, which is elected; having someone serve on the Hospital Board and also hold a position on a City board would not be a violation of the Charter.

Mayor Johnson stated there would be a conflict of interest issue.

Vice Mayor Tam stated the issue is a compatibility of office.

The City Attorney concurred with Vice Mayor Tam.

Vice Mayor Tam stated a person serving on the Hospital Board could serve on the Economic Development Commission because the Commission is an advisory body, but could not serve on the Planning Board because there would be potential conflict of land issues.

Councilmember Gilmore suggested that the discussion be held when Councilmember deHaan is present.

Mayor Johnson stated that there is no restriction on a person serving on more than one board or commission, but is a practice.

Councilmember Gilmore stated the City Manager proposes to amend Section 22-8 to provide flexibility to close offices, such as during winter holidays.

Mayor Johnson stated that opening and closing times should not be in the Charter; the matter should be covered by ordinance or resolution.

The City Manager stated that she sees the issue as being similar to setting of Council meetings in order to provide flexibility.

Mayor Johnson stated the issue is a cleanup item.

Councilmember Gilmore stated Councilmember deHaan wants Councilmembers to have the ability to nominate members of boards and commissions, not just the Mayor; the matter should be brought back to Council for further discussion.

Councilmember Matarrese stated that he appreciates the job that the subcommittee has done; issues are sifting down to be presented to voters; inquired whether the subcommittee is requesting approval of the resolution for non-substantive revisions along with additional cleanup items.

Vice Mayor Tam responded that issues have been bifurcated; stated the subcommittee is seeking Council approval of non-substantive revisions, as well as what Council considered to be additional cleanup items; adoption of a formal resolution is not needed until the July 15 City Council Meeting; items that were brought up after the December workshop can be tabled and discussed separately.

Mayor Johnson inquired whether the item requiring contracts to be

in writing is a new provision or cleanup.

Councilmember Gilmore responded there is consensus on what is being presented in terms of cleanup; stated Article IV, V and a new provision requiring contracts to be in writing should be added to the cleanup list.

Mayor Johnson stated that Item 6 [eliminating "transportation" from Article XII, Section 12-1(A)] and Item 8 [eliminating three reasons for removal of Historical Advisory Board Members] should be cleanup also.

Councilmember Gilmore stated that consensus indicates that Item 3 [formal bidding requirements] should be on fast track but some language should come back to Council before further action is taken; the City's insurance policy would be reviewed.

Mayor Johnson stated the insurance policy should not be discussed because the issue is not a Charter issue; bond requirements need to be removed.

Councilmember Gilmore inquired whether insurance language should be added to protect the City if bond requirements are removed.

Vice Mayor Tam responded removing the bond language would be more modern; stated thirty years from now insurance may be replaced by something else; inquired whether there would be any downside by not having specific insurance requirement language.

Councilmember Gilmore inquired whether the issue could be deferred to an ordinance.

The Senior Assistant City Attorney responded in the affirmative; stated the matter could remain silent also.

Vice Mayor Tam inquired whether closing offices is considered a cleanup issue.

Councilmember Gilmore responded in the affirmative; stated that the following items will be discussed further: board and commission nominations; amendments to Section 2-11 regarding federal, State, County or local office incumbents holding City board or commission positions; City Manager appointments of department heads to be on the advice and consent of Council; stated the City of Berkeley's form of government will be reviewed.

Councilmember Matarrese stated the elimination of the provision that subjects the appointment, discipline and removal of a deputy

city clerk to the approval of Council should be a cleanup issue.

Councilmember Gilmore inquired whether alternatives should be provided for public discussion forums.

Vice Mayor Tam responded in the affirmative; stated it is hard to generate interest on Charter issues at regularly scheduled meetings; it would be helpful to have focused citizen interest and expertise.

Mayor Johnson thanked Vice Mayor Tam and Councilmember Gilmore for the hard work.

Councilmember Gilmore stated that the Senior Assistant City Attorney has been excellent in keeping the subcommittee on track and on task; the Deputy City Clerk has provided much needed history.

Mayor Johnson stated the subcommittee would bring the matter back to Council.

ORAL COMMUNICATIONS, NON-AGENDA

(08-102) David Howard, Alameda, stated \$6 million was transferred from the Business Waterfront Improvement Project (BWIP) to two trust accounts for the School District; the balance is now \$2 million; the accounts have very little transparency; the accounts are managed by the City; the money is not segregated; questioned why the Finance Department is unable to answer questions regarding the matter; stated an audit report needs to be provided to the public; people might question management of the funds and not approve the parcel tax.

(08-103) Bill Smith, Alameda, discussed Base reuse.

(08-104) Gretchen Lipow, Alameda, stated the City entered into an agreement with the School District in 1991; Municipal Officers for Redevelopment Reform (MORR) has done a lot of research regarding the impacts of redevelopment money on public schools; the intent of a 1991 Agreement between the Community Improvement Commission and School District was to provide affordable housing for School District employees and was never met; requested an audit; stated the money should be put into the School District's budget.

Mayor Johnson requested that the City Attorney's office provide Council with a copy of said Agreement.

(08-105) Ken Peterson, Alameda, stated Los Angeles and the City of

Roseville recycle polystyrene; some places recycle post food service materials; provided a list of web site addresses that offer polystyrene recycling.

Mayor Johnson inquired whether Mr. Peterson had any information on polystyrene recycling costs.

Mr. Peterson responded in the affirmative; stated Los Angeles pays \$3,000 per ton; polystyrene is approximately 90% air and is fifty times the volume of comparable waste material; a comparable solid material cost is \$7 per ton; \$98 per ton is charged at Davis Street.

COUNCIL REFERRALS

(08-106) Consider directing the City Manager to have staff and the Economic Development Commission research and proposed projects and policies in order to attract, retain and expand marine related business for Alameda.

Councilmember Matarrese stated that he would like to have marine related services expanded from the commercial side and more extensively from the pleasure boat side; Pleasanton had a Boat Show; a local broker advised him that the Boat Show was a bust because there is no water in Pleasanton; he would like to have the Economic Development Commission (EDC) and staff come up with some potential projects to meet the updated Economic Development Strategic Plan; three marine related services left when the Grand Street housing project was developed; two left the island; he would like to have the EDC come up with some ideas and present the ideas to Council.

Mayor Johnson inquired whether Councilmember Matarrese was referring to marine related businesses.

Councilmember Matarrese responded marine related businesses and services include: yacht brokers, yacht repairs, part services such as hull cleaning, and training; the commercial side involves berth leasing to commercial boats; the City has a commercial shipyard; the issue is how to increase business in order for businesses to contribute to the City's tax base.

Mayor Johnson stated the matter seems like a large project and should be reviewed in light of other Council priorities.

Councilmember Matarrese stated that he feels the matter is a fairly good size priority; he wants to stay away from the approach that says the City becomes dependent on one industry; no one industry is

going to carry the economic health of the City.

Mayor Johnson inquired whether yacht sales generate sales tax.

The Development Services Director responded yacht sales are approximately 9% of the City's sales tax revenue; stated the percentage is cyclical because yachts are a luxury item; boat shows are not a point of sale trigger; brokers report into the County where the business is registered; local businesses report at the point of origin; she will provide more information on the impacts of boat shows; a Revenue Enhancement Committee has been created to review different revenue enhancement ideas; the Committee could review the matter and see whether priority time should be spent on the matter; currently, the Development Services Department has staffing issues and is slow in providing detailed information on the matter.

Councilmember Matarrese stated that the matter warrants some study; boat shows are not for sales tax but are for bringing people into an area to show case marine facilities; the constant flow of goods that go into keeping a boat are a hidden source of revenue.

Mayor Johnson stated that the matter could come back to Council after Committee review; inquired whether the sales tax trigger could be requiring a business license, to which the Development Services Director responded that she would check.

Councilmember Matarrese stated that he would like to receive feedback from the Revenue Enhancement Committee; the health of the City's economy depends on being as diverse as possible.

The Development Services Director stated job creation is a possibility.

Councilmember Matarrese stated business license contributions are also a factor.

COUNCIL COMMUNICATIONS

(08-107) Vice Mayor Tam stated that she has been attending the Alameda Education Foundation strategy sessions regarding the School District's funding crises; Councilmember Matarrese and Councilmember Gilmore also attended a meeting on February 28; discussions involved reviewing BWIP redevelopment funds accrued and managed by the City to see if there are opportunities to work with the School District within the parameters of State Redevelopment Law, which is very constraining.

The Assistant City Manager stated staff has been talking with School District staff to see if there are creative ways to have BWIP housing funds more immediately available for School District use.

Vice Mayor Tam stated that the money has to be used for housing or capital improvement; restrictions preclude the City from automatically shifting the funds directly to the School District for operation costs.

The Assistant City Manager stated affordable housing funds need to be used for affordable housing; staff is exploring ways to get the funds in use for said purpose.

Councilmember Matarrese inquired whether the City can post the accounting of funds and use restrictions on the website and provide some impetus to get the project started.

The Assistant City Manager responded staff has prepared a number of question and answer sheets over the last two years; stated information can be centralized on the website.

Mayor Johnson stated that consolidating redevelopment information is a good idea; examples of redevelopment projects should be provided also.

Vice Mayor Tam stated the School District is meeting tonight; the School District is looking at severe cuts; an emergency parcel tax will be considered; she would like to see the community and Council support the School District's actions.

(08-108) Vice Mayor Tam stated that she and the Deputy City Manager attended the League of California Cities East Bay Division meeting; Carl Guardino, Executive Director for the Silicon Valley Leadership Group, was the keynote speaker; Mr. Guardino brought up some intriguing ideas regarding developing public and private partnerships for things such as affordable housing and retention of teachers; Silicon Valley companies pay a stipend to have teachers come and work at their company during the summer breaks; she would be happy to talk with any community member interested in a briefing.

(08-109) Mayor Johnson requested a briefing on the East Bay Interoperability Program; stated all jurisdictions have not paid assessments for last year; the City should wait to pay the new assessment until other jurisdictions have paid last year's assessment.

ADJOURNMENT

There being no further business, Mayor Johnson adjourned the Regular Meeting at 10:09 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -MARCH 4, 2008- -6:00 P.M.

Mayor Johnson convened the Special Meeting at 6:10 p.m.

Roll Call - Present: Councilmembers deHaan, Gilmore,
Matarrese, Tam, and Mayor Johnson - 5.

Absent: None.

The Special Meeting was adjourned to Closed Session to consider:

(08-091) Conference with Legal Counsel - Anticipated Litigation;
Significant exposure to litigation pursuant to subdivision (b) of
Section 54956.9; Number of cases: One.

(08-092) Conference with Legal Counsel - Existing Litigation
(54956.9); Name of Case: Collins v. City of Alameda.

(08-093) Conference with Labor Negotiators; Agency Negotiators:
Human Resources Director; Employee Organizations: International
Brotherhood of Electrical Workers.

Following the Closed Session, the Special Meeting was reconvened
and Mayor Johnson announced that regarding Anticipated Litigation,
Council received a briefing from Legal Counsel on a matter of
potential litigation; no action was taken; regarding Existing
Litigation, Council received an update on the status of litigation,
including settlement negotiations; no action was taken; regarding
Labor, the matter was not heard.

Adjournment

There being no further business, Mayor Johnson adjourned the
Special Meeting at 7:35 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown
Act.